To Whom it May Concern:

The Settlement with Microsoft is lacking to give Open Source software
an equivilant ground in the world of embedded products. Let's say I
wanted to make a device that hooked into a network with Windows machines
and I just wanted it to work. In this endevour, I decided to contribute
code to the samba project and was just making this device for no profit.
Now, since J,2,c says that I need to have a 'business need' for the
informations, I can't just call Microsoft up for a full API
specification for a paticular communications protcol that they have.
Worse yet, if I were to be able to get that API, I have to ask
permission to use the application I wrote because of the verfication
requirements.

This is very counterintutive to most IETF (Internet Engineering Task
Force) protocols that are used on the Internet and freely developed and
distributed for the cause of interoperability. Microsoft wants to
contain its communications protcols from Open Source third parties so we
can't create an alternative communications platform that can
walk-the-walk with Windows platforms. They could easily argue that the
Open Source program using their API is going to destroy the vialibility
of their business and that the open disclosure in code will allow others
to develop possibly 'incorrect' implementations of their protocols.
Sometimes they might worry that a bug in their protocol design could be
massaged by a incorrect implementation and that it would be the
implementors fault for this, not theirs for designing protcols to be
robust. Therfore, I worry that they will just deny anything with a Open
Source license to pass their verification even if it has a compliant
implementation of the protocol.

The fight isn't about destroying Microsoft, but for forcing
interoperability and alternative means from the single vendor that many
have been 'locked in' to for years. This could extend the market for
Microsoft, ISVs, and Open Source users and developers to work together
and not have a rift in communications between platforms.

I also believe that some of the arguments that will be recieved
detailing the plight of this settlement and how it helps alternative
platforms for running windows applications are very important and I
would like the Court to please take Jeremy P. White's comments
seriously and carefully.

Lastly, I also echo the comments by Dan Kegel and his Open Letter, found
at http://www.kegel.com/remedy/letter.html .

Scott M. Dier
1624 Chatham Ave.
Arden Hills, MN 55112
651-631-1827

Employer, but not speaking on their behalf:
University Of Minnesota, Computer Science and Engineering
Systems Administrator

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Scott Dier <dieman@ringworld.org> http://www.ringworld.org/